

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
BEAUMONT DIVISION**

BEAUMONT BRANCH OF THE NAACP and
JESSICA DAYE,

Plaintiffs,

v.

JEFFERSON COUNTY, TEXAS, JEFFERSON
COUNTY COMMISSIONERS COURT, LAURIE
LEISTER, in her official capacity as the JEFFERSON
COUNTY CLERK, and MARY BETH BOWLING, in
her official capacity as the PRESIDING JUDGE OF
THE JOHN PAUL DAVIS COMMUNITY CENTER,

Defendants.

Civil Action No. 22 Civ. 488

**DECLARATION OF JESSICA DAYE IN SUPPORT OF PLAINTIFF'S EMERGENCY
MOTION FOR A TEMPORARY RESTRAINING ORDER**

I, JESSICA DAYE, upon my personal knowledge, hereby submit this declaration pursuant to 28 U.S.C. § 1746. I declare under penalty of perjury that the below is true and correct:

1. I have lived in Beaumont in Jefferson County for my whole life. I am 47 years old. I am a citizen and I am eligible to vote in Texas. I identify as a Black woman.

2. I am registered to vote in Jefferson County. I have been registered to vote since I was 18 years old.

3. I also serve as the elected precinct chair for Precinct 19 in Jefferson County.

4. I try to vote in every single election. Since Jefferson County adopted countywide polling places, I've usually voted at the John Paul Davis Community Center or the Theodore Johns

Library because they are convenient to where I live and I can get there, vote, and get back during my lunch hour.

5. These polling locations also serve a predominantly Black community. I have always felt comfortable going to these locations and I have always felt comfortable voting there.

6. This election, I planned to vote at the John Paul Davis Community Center because it is close to where my mother lives. I help my mother on a daily basis during lunch and at night, so I planned to vote at the Community Center nearby.

7. Last Wednesday, November 2, I stopped by my mother's house for lunch and then drove to the John Paul Davis Community Center to cast my ballot. After entering the Community Center, I got in line to check in to vote. A Black woman in her 50s or 60s was at the front of the line, close to me. She checked in with a Black poll worker and provided her name. The Black poll worker asked her if her address was correct, she said yes, and she signed something. She then shifted down the line to speak to a white poll worker, who appeared to be assigning voters to specific machines to cast their vote.

8. The white male poll worker immediately asked the elderly Black woman to state her address in an aggressive tone of voice. Even though she had already provided her address to the first poll worker and had verified her identity, he angrily asked "What is your address? State your address." It was a very uneasy moment in the polling place. It felt like he was attacking her, as if she was lying about her identity.

9. I was so alarmed and frustrated by what I saw that I immediately left the polling place. I was not willing to be subject to that sort of treatment under any circumstances.

10. In the parking lot outside the John Paul Davis Community Center, I saw the older Black woman who had been in line in front of me and had been accosted by the white poll worker.

I asked her if she was able to vote. All she said was “no, ma’am.” I advised her that there were other polling places in the County where she could vote, but I am not sure if she was able to get to one.

11. I was not able to go to an early voting location to vote during the remaining two days of early voting on November 3 and November 4. Instead, I now plan to go to the Jefferson County Courthouse polling place downtown on November 8. This polling place is substantially out of my way – it is not near my mom’s house, where I stay at night to take care of her, nor is it near my house, where I work during the day since I work remotely. It will be a significant burden for me to travel all the way downtown to cast my ballot, after already attempting to vote at the polling place nearest to me.

12. I should be able to vote where I want to vote. The Community Center is well known in the Black community. Many in my community vote there. And I wanted to vote there.

13. I have never witnessed what I saw that day at the Community Center, a White poll worker loudly demanding that an elderly Black woman recite her address out loud even though she already verified her address one time and seemed to be checked in.

14. In fact, I have never seen this sort of intimidation at a polling place in Jefferson County before.

15. I would vote at the Community Center on Election Day if I were assured that the poll workers would not be hostile, ask me to recite my address out loud for all to hear and take note. I do not want to be forced to publicly read out my address as a precondition of my voting, and I do not want to be treated in a demeaning and aggressive way.

16. I want to be treated with respect when I go to vote. I have always had comfortable and welcome experiences at polling places in Jefferson County, and that is all I am looking for this election cycle too.

Executed on November 6, 2022 in the City of Beaumont, Jefferson County, Texas

BY: Jessica Daye
Jessica Daye